

## § 3.200

will not be disclosed except as required by law or regulation.

### 15. Judicial Review

Any person found to have violated 18 U.S.C. 207 (a), (b) or (c) as implemented by 5 CFR part 737, may seek judicial review of this administrative determination.

[49 FR 7530, Feb. 29, 1984, as amended at 57 FR 5323, Feb. 13, 1992]

## Subpart B—Advice and Enforcement

### § 3.200 Purpose.

This subpart designates EPA officials responsible for advising employees on ethics questions and prescribes procedures for enforcing the requirements of this part. There is no attorney/client relationship between Ethics Officials and employees who seek advice; admissions to Ethics Officials of past violations are *not* privileged.

### § 3.201 Designation.

The following officials are available to advise EPA employees:

- (a) The Administrator appoints a Designated Agency Ethics Official who:
  - (1) Acts as the principal contact with the Office of Government Ethics;
  - (2) Provides guidance to Deputy Ethics Officials;
  - (3) Collects, reviews and maintains Executive Personnel Financial Disclosure Reports and provides them to the public as required;
  - (4) Makes determinations and provides oral and written advice on ethics questions; and
  - (5) Performs all other functions under 5 CFR 738.203.

(b) The Administrator also appoints an Alternate Agency Ethics Official to assist the Designated Agency Ethics Official under 5 CFR 738.202.

(c) The Designated Agency Ethics Official may appoint Deputy Ethics Officials under 5 CFR 738.202 in addition to those listed below.

The Deputy Ethics Officials are the:

- (1) Assistant Administrators;
- (2) Inspector General;
- (3) Office Directors reporting to Assistant Administrators;
- (4) Heads of Staff Offices reporting directly to the Administrator;
- (5) Laboratory Directors; and

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(6) Regional Administrators.

(d) The Deputy Ethics Officials:

(1) Counsel employees on questions arising under this part;

(2) Review and maintain Confidential Statements of Employment and Financial Interests filed under subpart C of this part;

(3) Direct employees to file Confidential Statements of Employment and Financial Interest under § 3.302(c);

(4) Decide requests for approval of outside employment under Subpart E of this part; and

(5) Consult, as necessary, with the Designated Agency Ethics Official.

### § 3.202 Reporting, investigating and enforcing.

(a) Any employee who is aware of a possible violation of this part must inform the appropriate Deputy Ethics Official, the Designated Agency Ethics Official or the Inspector General.

(b) Violation of this part may be cause for disciplinary or remedial action. Remedial action may include a direction to dispose of conflicting interests, waivers under 18 U.S.C. 208(b), disqualification from particular assignments, reassignment or other action such as establishment of an appropriate trust.

## Subpart C—Financial Interests and Investments

### § 3.300 Prohibitions against acts affecting a personal financial interest.

(a) As discussed in appendix A to subpart A, section 208(a) of title 18, United States Code, prohibits an employee from knowingly participating in an EPA matter in which the employee, the employee's spouse, minor child, present or prospective employer, or organization in which the employee is an officer, has a financial interest.

(b) Activities which may affect a financial interest are:

- (1) Negotiating, administering or auditing contracts or assistance agreements;
- (2) Selecting or approving contractors or subcontractors;
- (3) Enforcement activities;
- (4) Issuing permits;
- (5) Registering pesticides;
- (6) Certifying motor vehicles; and